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Alexandria, VA 22313-1450.

Case Docket No. DN-2652-2/DIV

MARCH 23, 2004

Signature

MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

This is a request for filing under 37 C.F.R. 1.53 a

[] Continuation [X] Divisional [] Continuation-in-Part

application of pending prior application Serial No. 10/376,941, filed on 02/28/2003 of

EDWARD C. VILLELA AND ADEM CHICH

Title:

NAIL GUN DEPTH CONTROL SPACER

Examiner : Louis B. Tran Group Art Unit: 3721

1. [X] Enclosed is a copy of the prior application as originally filed and an affidavit or declaration verifying it as a true copy. Also attached is copy of Information Disclosure Statement in prior application.

2. [] Prepare a copy of the prior application.

3. [X] The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

Claims on File	Number Extra	Rate
Basic Fee		\$770.00
Total Claims 6 - 20	x \$18.00	
Independent Claims 1 - 3 =	x \$86.00	
If Multiple Dependent Claims are Presented,		Add \$290.00
<u>Total Filing Fee</u>		<u>\$770.00</u>

4. [X] The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1855. A duplicate copy of this sheet is enclosed.

5. [X] A new declaration is not required, since this application is a divisional.

6. [X] Cancel claims 7 through 16.

17858 U.S.PTO
10/806690

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7. Amend the specification by inserting before the first line the sentence (check one and fill in):

"This is a [] continuation, division, [] continuation-in-part, of application Serial No. 10/376,941, filed on February 28, 2003.

8. A simultaneous amendment is also enclosed.

9. The prior application is assigned to

BUILDING MATERIALS INVESTMENT CORPORATION

10. The power of attorney in the prior application is to

William J. Davis, Reg. No. 30,744 Marilyn J. Mau, Reg. No. 18,869
Imre Balogh, Reg. No. 26,835 Dr. Walter Katz, Reg. No. 19,706

(a) The power appears in the original papers of the prior application. A copy is enclosed.

(b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) Recognize as associate attorney:

(d) Address all future correspondence to

GAF MATERIALS CORPORATION

1361 Alps Road

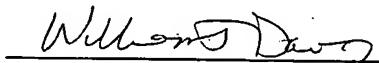
Wayne, NJ 07470

William J. Davis, Esq.

Legal Department

Respectfully submitted,

Dated : MARCH 23, 2004



William J. Davis
Reg. No. 30,744
Tel. No. (973) 628-3529
Fax. No. (973) 628-3620
Attorney of Record
in Prior Application

GAF Materials Corporation
1361 Alps Road
Wayne, New Jersey 07470
William J. Davis, Esq.
Legal Department